

1 EDMUND G. BROWN JR.
Attorney General of the State of California
2 DANE R. GILLETTE
Chief Assistant Attorney General
3 GERALD A. ENGLER
Senior Assistant Attorney General
4 PEGGY S. RUFFRA
Supervising Deputy Attorney General
5 WILLIAM KUIMELIS
Deputy Attorney General
6 State Bar No. 147625
455 Golden Gate Avenue, Suite 11000
7 San Francisco, CA 94102-7004
Telephone: (415) 703-1371
8 Fax: (415) 703-1234
Attorneys for Respondent
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11 IN THE UNITED STATES DISTRICT COURT
12 FOR THE NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION

14 **DAVID M. McDONOUGH,**

Petitioner,

15
16 v.

17 **JAMES A. YATES,**

18 Respondent.
19

C 07-2469 MMC (PR)

**DECLARATION IN SUPPORT OF
EX PARTE APPLICATION FOR
ENLARGEMENT OF TIME**

20 I, William M. Kuimelis, declare:

21 1. I am a Deputy Attorney General for the State of California. I have been assigned to
22 represent the warden in this matter.

23 2. The answer to the petition is due October 12, 2007.

24 3. I have been burdened by a substantial case load.

25 4. I was also out of the country for nearly six weeks for a combination of military reservist
26 responsibilities and family obligations.

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1 I declare under penalty of perjury that the foregoing is true and correct. Executed at San
2 Francisco, California, on October 12, 2007.

3
4 /s/ William M. Kuimelis

5 WILLIAM M. KUIMELIS
6 Deputy Attorney General
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